

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

MICHAEL COX,)	
)	
Plaintiff,)	
)	
v.)	No. 1:17-CV-77 PLC
)	
GARY KAMP,)	
)	
Defendant,)	

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's second motion for reconsideration. For the following reasons, the motion will be denied.

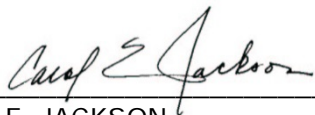
In the motion, the plaintiff cites to 28 U.S.C. § 2255. However, he is not in federal custody, nor is he challenging a federal court judgment. Therefore, the plaintiff is not entitled to relief under § 2255.

Also, as the Court previously found, the plaintiff's claims are frivolous. He cannot sue a state court judge in a federal court simply because he disagrees with the judge's decisions. *Penn v. United States*, 335 F.3d 786, 789 (8th Cir. 2003) (judicial immunity). Further, federal district courts lack subject matter jurisdiction to engage in appellate review of state court decisions. *Postma v. First Fed. Sav. & Loan*, 74 F.3d 160, 162 (8th Cir. 1996). So, plaintiff's challenge to the sentence imposed by a state court is not cognizable in these proceedings.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for reconsideration (Doc. 14) is **denied**.

Dated this 11th day of August, 2017.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE